

UNITED STATES DISTRICT COURT OF
SOUTHERN DISTRICT OF NEW YORK

JENIERE K. EVANS

PLAINTIFF,

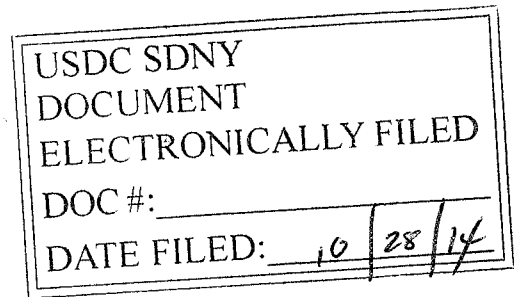
-AGAINST-

1 NEW YORK CITY

2 OFFICER VIET, DANG

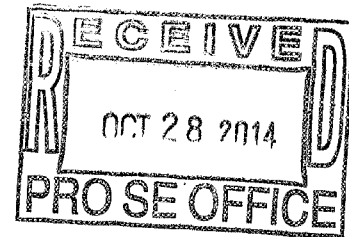
3 SARGENT DONALD, GANNON

DEFENDANTS,



14-CV-3212 (VEC) (DCF)

"AMENDED COMPLAINT"



On the evening of July 4th, 2013 at approximately 10:00p.m., I the plaintiff **Jeniere k. Evans**, was on the stoop of **(845 east 215th street bronx, ny)** at the house I resided in at the time, we were having a family cookout, and I was getting ready to go back to the program I signed into for my own reasons.

A patrol car with three officers stopped in front of my house, they parked in the front of a water pump, after parking they sat in the car contemplating, my guess would be on if they should get out or, not, they contemplated for about 5- 10 minutes, maybe longer, before actually getting out.

When they finally got out the car, an officer by the name of **Viet Dang**, which I did not know at the time, approached me at the stoop of my property, his partners were not far behind. His first question was pertaining to the plastic cups that were laying around the stoop **(3 at most)**. Then I was asked if I was drinking, which I replied "**first of all why are you questioning me on private property**"?, he challenged my question with the fact that a portion of the front of my sneakers were partially on public sidewalk, and the other part was on my property, but that was only when I got up to talk to him, because he started questioning me, he claim that gave him the right to pursue me.

The conversation went on for about 15 minutes, and when he saw we could never reach common ground , I was asked to give up some kind of identification, when I refused on the grounds that my

constitutional rights were being violated, I was ordered a second time , and then threatened that they would do things the hard way, if I did not comply, so I gave up my new York state benefit card.

Once he received it, he went back to the patrol car, and ran my name, and came back with the fact that I had two bench warrants, I was asked to turn around and put my hands behind my back, I complied.

Once I was in cuffs, the officer started searching cups on the stoop, he then starts writing a citation, I then reply "**go ahead and write a citation it's only \$25 anyway**". I threatened to sue afterwards too. Shortly after the commotion started my family came to the front of the house, they started questioning the police about why I was being arrested when they did not get any answers they started pulling out cameras, phones, etc. their right to film the situation was not humbly invited (as seen on film).

I was forced from the rear of the patrol car to the hood of the truck parked behind it, where I was slammed on my chest, then I was dragged in the street, roughed up briefly by the arresting officer, and some of the back-up (4-7 officers), then they dragged me across the street , where they slammed me on the ground, on my chest. They put shackles on me shortly after. I was picked straight up in the air, and slammed on my chest , again on the floor of the paddy wagon, off. Dang, and another officer jumped in the paddy wagon officer dang sat on me first, the other shortly after, I wound up being assaulted in the wagon, because of them sitting on me it was hard to breath.

While in the paddy wagon officer dang put two fingers in my neck in attempt to knock me out, even when I complained about breathing he did not let up, he kept it there for the remainder of the trip. When we got to the precinct I was not allowed to walk, I was carried in, and thrown in a cell for hours, with the cuffs, and shackles on very tight, I did not know about new charges until I saw my lawyer.

AFTERMATH OF INCIDENT:

Because, of the excessive force by officers, I received a swollen eye, a (cut/gash) on the nose, scar remains, (cut/gash) on both wrist, lost feeling in left thumb for months. (app. Missed/incarceration). The disposition of the case portrayed me to be a violent offender, so parole violated me, and I sat up fighting the criminal and parole case for 5 months. They backed out on trial 3 times, I was forced to take the (acd) on November 18th 2013 because, they didn't want to give the straight dismissal, and there was a deadline on the parole case, they released me on December 26th, because of the (acd).

INTEND TO PROVE:

He lied about the circumstances of the case, about my violent behavior, and they put trumped up fake charges on me which got me violated. They also violated my constitutional rights.

SUING FOR:

\$ 3 Million dollars in compensation, and punitive damages, also for worker's comp., pain & suffering, and for the progress, and lost time because negligent , and foul-play by officers, I was also in school, and trade school at the time.

SUING FOR:

- FALSE ARREST
- FALSE IMPRISONMENT
- MALICIOUS PROSECUTION
- DUE PROCESS
- DENIAL SPEEDY TRIAL
- HARRASSMENT/ABUSE OF POWER
- RACIAL PROFILING
- PAIN & SUFFERING
- DEFAMATION OF CHARACTER
- POLICE MISCONDUCT
- EXCESSIVE FORCE
- FALSE CHARGES
- LOSS WAGES/WORKER'S COMP.
- EMOTIONAL DISTRESS
- SPOILATION OF EVIDENCE
- CRUEL & UNUSUAL PUNISHMENT
- TRESPASS

EVIDENCE:

- PICTURES OF WRIST & FACE
- FOOTAGE OF INCIDENT
- MEDICAL RECORDS
- (LEXIS NEXIS) SCOPE & DOCUMENTED LAW, RELATED CASES
- PAREOLE HEARING (OFF. DANG'S TESTIMONY) ALL AVAILABLE UPON REQUEST
- DOCUMENTATION FROM ARREST TO RELEASE



JENIERE K. EVANS
(jeniereevans83@gmail.com)
(347) 759-2733

67 EAST 175TH STREET APT. # 31B
BRONX NEW YORK 10453

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

14-CV 3212 (VEC) (DCF)

JENIERE K. EVANS

PLAINTIFF,

" AFFIRMATION OF SERVICE "

-AGAINST-

NEW YORK CITY

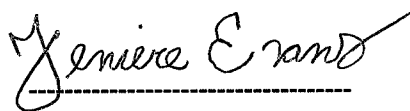
OFFICER VIET, DANG

SARGENT DONALD, GANNON

DEFENDANTS,

I **Jeniere k. Evans**, declare under penalty of perjury that I have served a copy of the attached **Amended complaint** upon **Kathryn Sprovieri** whose address is (The city of New York law department 100 church street New York NY, 10007), through her e-mail account ksprovie@law.nyc.gov on **10/28/14**.

Dated: October 28th, 2014

A handwritten signature in black ink that reads "Jeniere Evans". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

67 east 175th street

Bronx, NY, 10453

(347) 759-2733